

3/21/19

2:01 P.m.

Chapter No. 360
19/HR26/R1186SG
EW / KTW

HOUSE BILL NO. 1540

Originated in House



Clerk

HOUSE BILL NO. 1540

AN ACT TO AMEND SECTION 17-17-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO EXTEND CERTAIN CONTRACTS RELATED TO SOLID WASTES IN ONE-YEAR INCREMENTS FOR AN ADDITIONAL FOUR YEARS WITHOUT ADVERTISING FOR PROPOSALS, AS LONG AS RATE ADJUSTMENT REMAIN CONSISTENT WITH THE EXISTING CONTRACT AND THE TOTAL TERM OF THE CONTRACT DOES NOT EXCEED TEN YEARS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 17-17-5, Mississippi Code of 1972, is amended as follows:

17-17-5. (1) After December 31, 1992, the board of supervisors and/or municipal governing body shall provide for the collection and disposal of garbage and the disposal of rubbish. The board of supervisors and/or municipal governing body may provide such collection or disposal services by contract with private or other controlling agencies, and the service may include house-to-house service or the placement of regularly serviced and controlled bulk refuse receptacles within reasonable distance from the farthest affected household, and the wastes disposed of in a manner acceptable to the department and within the meaning of this

chapter. The board of supervisors and/or municipal governing body * * * may enter into contracts related in any manner to the collection and transportation of solid wastes for a term of up to six (6) years * * *; however, for such contracts executed on or after July 1, 2019, the board of supervisors and/or municipal governing body may have the option to extend the contract by mutual consent of the parties in one-year increments up to four (4) additional years without advertising for proposals, as long as rate adjustments remain consistent with the existing contract and the total term of the contract does not exceed ten (10) years. The board of supervisors and/or municipal governing body may enter into contracts related in any manner to the generation and sale of energy generated from solid waste, and contracts for treatment, processing, distribution, recycling, elimination or disposal of solid wastes for a term of up to thirty (30) years. The municipal governing body of any municipality is authorized to regulate the disposal of garbage and rubbish in sanitary landfills, as provided in Section 21-19-1, Mississippi Code of 1972.

(2) In the event an unincorporated area which is annexed by a municipality is being provided collection and disposal of garbage and rubbish under contract with private or other controlling agencies, the municipality shall annex the area subject to the contract for the remainder of the term of the contract, but not to exceed five (5) years.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2019.

PASSED BY THE HOUSE OF REPRESENTATIVES
February 12, 2019



SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 7, 2019



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR

3/21/2019 2:06pm